

Appln No. 10/568,567
Amdt date April 16, 2008
Reply to Office action of January 16, 2008

REMARKS/ARGUMENTS

Claims 9-19 are now in the applications. Claims 9-10, 12, 15, 17, and 19 have been amended. In addition, the Applicant has amended certain portions of the specification to be consistent to the amendments to the claims. The Applicant believes that no new matter has been added by the foregoing amendments. As such, the Applicant respectfully requests reconsideration and allowance of the application in view of the amendment and the following remarks.

Claims Rejected Under 35 U.S.C. §103(a)

Claims 9-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Malik (U.S. Patent No. 6,748,067) in view of Chandrashekar et al. (U.S. Patent Application Publication No. 2003/0140131).

The above rejections are respectfully traversed. In addition, the Applicant has amended Claims 9-10, 12, 15, 17, and 19 to better set forth the claimed subject matter and/or to place them in better form.

1. Amendments

1.1 In order to better set forth the claimed subject matter, the Applicant has amended independent Claim 9. Also, amendments have been made to the dependent Claims 10, 12, 15, 17 and 19 to be consistent with the amendments to Claim 9 and/or to place these dependent claims in better form. Corresponding amendments have also been made to the summary of the Invention portion of the specification.

1.2 As amended, Claim 9 now includes the following features (1)–(2):

“A method for providing a Virtual Private Network (VPN) service, comprising:

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- A. receiving a call request for a VPN service from a user terminal, initiating a VPN service logic, and determining whether the user terminal has customized a prepaid service by a Service Control Point (SCP) (feature 1);
- B. providing, by the VPN service logic, the VPN service to the user terminal, charging the VPN service, and invoking a prepaid service logic for deducting, according to a result of the charging, from a prepaid account (feature 2)."

Support: Referring to p. 5, l.9 to p.5, l.19 of the specification originally filed, before the VPN service is provided, the request for VPN service is received and whether the terminal user has applied for the prepaid service or not is confirmed too. Referring to p. 6, l.9 to p.6, l.17 of the specification originally filed, the prepaid service logic is invoked to deduct fee from the prepaid account. Accordingly, the amendments to Claim 9 can be at least found in the above referenced matters of the applications as originally filed.

2. The Amended Claims are not Obvious to Person Skilled in the Prior Art

2.1 In the present Office Action, the claims of the present invention were rejected under 35 U.S.C. 103 (a) as being unpatentable over Malik (6748067) in view of Chandrashekhar (2003/0140131). The applicant amends the claims, and respectfully believes that the amended claims are not obvious to a person skilled in the prior art according to the following reasons.

2.2 Malik discloses system and method for providing Internet service via a prepaid or pay-per-use basis. According to col.3, lines 30-57 and col.4 lines 1-8 in Malik, the SCP is configured to check whether the caller has a pre-paid subscription, and if the caller is a pre-paid or a pay-per-use customer, the SCP changes certain call parameters in the call setup message, and instructs the SSP to continue processing the call with the new parameters, which can implement the access to the internet service. Then, the SCP tracks the subscriber's usage of the system for billing purpose, and for the pre-paid caller, the SCP subtracts the number of units used by the pre-paid units available for the subscriber. And, if the caller was processed under the pay-per-use

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system, the charge is calculated by the telephone service provider and included in the caller's telephone bill for the period.

2.3 Chandrashekhar discloses system and method for dynamically managing VPNs in a manner enabling subscriber access to VPN service on an as needed basis. According to paragraphs 0002-0008 in Chandrashekhar, the apparatus disclosed in Chandrashekhar includes a plurality of IP service aggregation switches for communication respective access network and a core network; a dynamic VPN manager for providing customer network management and policy server function including a user interface enabling remote management of a VPN by a user.

2.4 Accordingly, neither of Malik and Chandrashekhar discloses the features (1)-(2) as abovementioned. That is, the technical problem solved by amended Claim 9 is how the SCP can efficiently integrate the VPN service and the prepaid service with the abovementioned features (1) and (2). However the technical problem solved by Malik is how to provide Internet service via a prepaid or pay-per-use basis; the technical problem solved by Chandrashekhar is how to dynamically manage VPNs in a manner for enabling subscriber access to VPN service on an as needed basis. As such, the technical problems solved by Malik and Chandrashekhar are unrelated to each other, and a person skilled in the art based on a reading of Malik would not have combined a solution on how to provide Internet service via a prepaid or pay-per-use basis in Malik with a solution on how to dynamically manage VPN's in a manner for enabling subscriber access to VPN service on an as needed basis disclosed in Chandrashekhar without the hindsight as taught by the present invention. That is, the inventor's own disclosure should not be used as a "road map" for selecting and combining prior art disclosures.

Even if assuming Malik and Chandrashekhar can be combined; the combination of Malik and Chandrashekhar can not teach or suggest the abovementioned features (1)-(2). That is, according to sections 2.2 and 2.3, the result of combining Malik and Chandrashekhar is a simple combination of VPN service and prepaid or pay-per-use basis, in which the SCP does not

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implement the determining process for the VPN service, and the charging and deducting processes for the VPN service are not implemented.

Particularly, the combination of Malik and Chandrashekhar does not disclose, teach, or even suggest the process of determining whether the user terminal has customized the prepaid service by the SCP when the VPN service is request by the user terminal (**feature 1**), and also does not disclose or suggest the process of charging the VPN service and invoking the prepaid service logic for deducting, according to the result of the charging, from the prepaid account (feature 2). Therefore the combination of Malik and Chandrashekhar does not disclose or suggest the above mentioned features (1)-(2) as is now recited in Claim 9.

Therefore, amended Claim 9 is not unpatentable over Malik and Chandrashekhar based on at least the abovementioned features (1)-(2) as is now recited in Claim 9.

Claims 10-19 depend, either directly or indirectly, form Claim 9. As such, these dependent claims incorporate all the terms and limitations of Claim 9 in addition to other limitations, which together further patentably distinguish them over Malik and Chandrashekhar.

2.5 Moreover, as to the dependent Claim 10, before the VPN service logic is initiated, the VPN service authentication for the user terminal is implemented. This additional feature in the dependent claim 10 is also not disclose or suggested by Malik and Chandrashekhar. As such, Claim 10 should now be allowed for this additional reason.

As to the dependent claim 11, before the VPN service for the user terminal is provided, the prepaid service authentication for the user terminal is implemented. This additional feature in the dependent claim 11 is also not disclose or suggested by Malik and Chandrashekhar. As such, Claim 10 should now be allowed for this additional reason.

As to the dependent claim 14, before the VPN service for the user terminal is provided, the process of presetting a fee-applying interface for the prepaid service is performed. This

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additional feature in the dependent claim 11 is also not disclose or suggested by Malik and Chandrashekhar. As such, Claim 14 should now be allowed for this additional reason.


As to the dependent claim 16, the process of presetting a fee-deducting interface for the prepaid service is performed. This additional feature in the dependent claim 16 is also not disclose or suggested by Malik and Chandrashekhar. As such, Claim 16 should now be allowed for this additional reason.

As to the dependent claim 18, the process of presetting a fee-returning interface for the prepaid service is performed. This additional feature in the dependent Claim 18 is also not disclose or suggested by Malik and Chandrashekhar. As such, Claim 18 should now be allowed for this additional reason.

Concluding Remarks

In view of the foregoing, the Applicants respectfully submit that Claims 9-19 are in condition for allowance. Reconsideration and withdrawal of the rejection is respectfully requested, and a timely Notice of Allowability is solicited. If there are any remaining issues that can be addressed over the telephone, the Examiner is encouraged to call Applicants' attorney at the number listed below.

Respectfully submitted,
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EXHIBIT A